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41ST CONGRESS,
3D SESSION.

H. R. 2714.

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 13, 1871.

Read twice, referred to the Committee on Foreign Affairs, and ordered to be printed.

Mr. BUFFINTON, on leave, introduced the following bill:

A BILL

Providing for a commission to audit all claims for damages by the steamers Alabama, Shenandoah, Florida, and Georgia, with their tenders, and for the issuing of bonds of the United States for the payment thereof.

Whereas, during the recent conflict of the United States with the rebellion, certain vessels were fitted out and equipped in the ports of Great Britain and Ireland to prey upon the commerce of the United States, contrary to the rules of international law, and after repeated remonstrances on the part of the Government of the United States to the government of Great Britain and Ireland; and whereas, after these vessels were once fitted out in violation of the laws of nations, they were received into various ports of Great Britain and Ireland with all the rights and privileges which they would have had if they had been lawfully equipped and fitted out, and were allowed to receive supplies in such ports, and to go out therefrom without molestation or hinderance; and whereas these vessels, particularly the vessels or steamers

known as the Alabama, the Shenandoah, the Florida, and the Georgia, did do great damage to citizens of the United States by capturing and destroying various vessels and cargoes belonging to citizens of the United States, and in other ways; and whereas the government of Great Britain and Ireland has not, up to this time, consented to any acceptable means of determining and paying the amount of such damage; and whereas it is desirable that the evidence in regard to such damage be preserved, and that the amount thereof be determined and paid: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized, by and with the advice and consent of the Senate, to appoint three commissioners, for the purpose of ascertaining and determining the damage sustained by citizens of the United States, or by corporations organized under the laws of the United States, or of any State, from and on account of the steamers Alabama, Shenandoah, Florida, and Georgia, with their tenders, the Clarence, the Lapwing, the Tacony, and the Tuscaloosa.

SEC. 2. *And be it further enacted*, That the commissioners shall meet at Washington, on or before the first day of April, eighteen hundred and seventy-one, but they may, if they think it advisable, afterward meet at New York, Boston, or New Bedford. Before proceeding to any business, they shall make and subscribe a solemn oath that they will impartially and carefully examine and decide, without fear, favor,

or affection to any of the claimants, upon all such claims as shall be laid before them, and such declaration shall be entered on the record of their proceedings. The commissioners shall then proceed to the investigation of all claims that may be presented to their notice by citizens of the United States, or their executors, administrators, or assigns, or by corporations organized by the laws of the United States, or of any State, or by the assigns of such corporations, on account of any and all damage which shall have been sustained by citizens of the United States, or by corporations organized under the laws of the United States, or of any State, from and on account of the steamers Alabama, Shenandoah, Florida, and Georgia, with their tenders, the Clarence, the Lapwing, the Tacony, and the Tuscaloosa The commissioners shall investigate and decide upon such claims in such order and in such manner as they may think proper. They shall prescribe proper rules for the proof of the claims, shall hear counsel in behalf of the claimant, and shall have authority to administer oaths and to summon and examine witnesses. And every claim shall be presented to the commissioners within six months from the day of the first meeting, unless in any case where reasons for delay shall be established to their satisfaction.

SEC. 3. *And be it further enacted,* That the commissioners shall be bound to examine and decide upon every claim

within one year from the date of their first meeting. Every claim shall be considered by the three commissioners, but the decision of two of the commissioners on the same shall be final. The decision upon each claim shall be in writing, signed by the commissioners making the same, and after such decision they shall give to the proper owner of the claim, or his attorney, a certificate stating the amount so awarded on his claim.

SEC. 4. *And be it further enacted*, That the commissioners shall keep an accurate record and correct minutes or notes of all their proceedings, with the dates thereof, and shall employ clerks or other persons to assist them in the transaction of any business that may come before them. The commissioners shall hear counsel on behalf of the United Kingdom of Great Britain and Ireland, if any such appear, as to the proper amount to be allowed to any particular claimant.

SEC. 5. *And be it further enacted*, That the salary of the commissioners shall be eight thousand dollars per annum, and an appropriation of fifty thousand dollars is hereby made to pay the said salaries, and all such necessary clerk hire and other necessary expenses as may be made under the direction of the said commission for the proper carrying out of the object of this act, and which shall be approved of by the Secretary of State.

SEC. 6. *And be it further enacted,* That all sums awarded by the commissioners, upon any of the claims presented to them, shall be paid by the United States, within eighteen months after the first meeting of the commission, in bonds of the United States, conditioned for the payment of principal sums thereof, at the end of twenty years from the date thereof, and with interest at the rate of five per centum per annum, payable semi-annually. And the Secretary of the Treasury is authorized and directed to issue bonds of the United States, not to exceed in amount twenty millions of dollars, conditioned for the payment of the principal sum thereof in twenty years, with interest at five per centum, payable semi-annually; these bonds to be known and designated as the British bonds, and to be of such denomination as shall seem best to the Secretary of the Treasury.

SEC. 7. *And be it further enacted,* That upon the presentation at the Treasury of the United States by the legal holder thereof, or his duly authorized agent, of the certificate of award made by the commissioners upon any claim as hereinbefore provided for, the Secretary of the Treasury is authorized and directed to deliver unto the legal holder thereof, or his duly authorized agent, an amount of such bonds of the United States equal to the largest part of the amount awarded by the commissioners which can b paid by such bonds at par, and to pay the balance thereof to the legal holder, or to

his duly authorized agent, in the currency of the United States, and thereupon to receive from him such certificate. And the Secretary of the Treasury is authorized and directed to sell at par all such bonds as may be necessary to provide money to pay such amounts as under this act it may be necessary for him to pay in currency.

SEC. 8. *And be it further enacted,* That it shall be the duty of the President of the United States to communicate a copy of this act to the government of her Britannic Majesty.